



Patent
Attorney Docket: 892,280-147

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

CAVALERI et al.

Serial No.: 10/828,483

Filed: April 16, 2004

For: METHODS OF ADMINISTERING
DALBAVANCIN FOR TREATMENT OF
SKIN AND SOFT TISSUE INFECTIONS

Group Art Unit: 1623

Examiner: Elli Peselev

TERMINAL DISCLAIMER

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

I, Diane K. Wong, represent that I am an attorney of record for the above-identified application. Vicuron Pharmaceuticals Inc. (hereinafter referred to as "Vicurion") is the owner of 100% interest in the above-identified invention by virtue of assignment from the inventors to Vicuron. The assignment was recorded in the Patent and Trademark Office on March 31, 2004, on Reel 014478, Frame 0965 for parent application (USP 6,900,175).

Vicurion hereby disclaims the terminal part of any patent granted on the above-identified application that would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,900,175. Moreover, Vicuron hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,900,175, this agreement to run with

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July 12, 2005
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any patent granted on the above-identified application and to be binding upon Vicuron, its successor, or assigns.

Vicuron does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. 6,900,175 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.312(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The Commissioner is hereby authorized to charge \$ 130.00 to Deposit Account No. 50-2862 for the above fee(s). If any additional fees are necessitated by the filing of this document, please charge Deposit Account No. 50-2862.

Respectfully submitted,

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Dated: July 12, 2005

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